

Attorney's Docket No. 5718-4A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gray et al
Appl. No.: 09/327,230
Filed: 6/7/99
For: METHODS AND COMPOSITIONS FOR CONTROLLING CELL DEATH
AND DISEASE RESISTANCE IN PLANTS
January 11, 2000

Group Art Unit: 1638

Examiner: Nelson, A.

#10/a
Beta
Jan 24, 01

Assistant Commissioner for Patents
Washington, DC 20231

01/18/2001 TGEDAMU1 00000059 09327230

01 FC:102
02 FC:103

80.00 OP
90.00 OP

AMENDMENT

Sir:

In response to the Office Action mailed August 11, 2000, please amend as follows:

In The Claims:

Q: 1. (Amended) An isolated nucleotide sequence comprising a promoter sequence that [is capable of driving] drives expression of a gene in a plant cell wherein said promoter sequence natively drives the expression of a plant cell death suppressor protein, and wherein said promoter sequence comprises the sequence set forth in SEQ ID NO:1.

2. (Amended) [The promoter of claim 2, wherein said promoter comprises] An isolated nucleotide sequence comprising the sequence set forth in SEQ ID NO: 1.

3. (Amended) [A DNA construct] An expression cassette comprising the [promoter] nucleotide sequence of claim [1]2, operably linked to a heterologous coding sequence.

4. (Amended) A vector comprising the [DNA construct] expression cassette of claim 3.